THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.11341 of 1997
Date: 16-11-2006

Between:

Md.Hafeez and others ..... Petitioners

And

The District Collector, Ranga Reddy District and others ..... Respondents

THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.11341 of 1997

ORDER:

1. The writ petitioners have solicited a declaration that the action of the respondents in preventing them from making constructions over the plots of land allotted to them in Survey No.109 of Mallapur village, Uppal Mandal, Ranga Reddy District as illegal.

2. The case of the petitioners was that the State machinery has identified 260 beneficiaries in the year 1985 for the purpose of grant of house site pattas and accordingly they have set apart the required land in survey No.109 of Mallapur Village, Uppal Mandal, Ranga Reddy District. Though the beneficiaries list has been prepared and though the formal announcement of the pattas in favour of the beneficiaries has been made public but nonetheless the actual distribution of pattas for the house sites could not be accomplished inasmuch as the land in Mallapur is falling within the urban agglomeration and consequently required approval of the Hyderabad Urban Development Authority before it could be laid out as house sites and demarcated for each beneficiary. It has now been stated that the Hyderabad Urban Development Authority has ultimately granted the approval to the lay out as proposed by the revenue administration for the lands situate in Survey No.109 of Mallapur Village on 16-08-1990 and the District Collector, Ranga Reddy District has in fact forwarded the said approved lay out through his letter dated 1-10-1990 to the Revenue Divisional Officer, Hyderabad East for taking the necessary follow up action. The beneficiaries who have been identified in the year 1985 have been accordingly granted pattas for house sites. When some of the petitioners have mistakenly proposed to undertake construction in the adjoining survey No.110, which land belongs to the Government, the alert Revenue Administration has raised an objection

against such constructions. The Mandal Revenue Officer has pointed out that an extent of 300 square yards of site in Survey No.110 which is adjoining to Survey No.109 of Mallapur Village has been allotted to Navodaya Mahila Mandali for the purpose of construction of Mahila Mandali building in terms of the orders passed by the District Collector on 05-10-1996 in this regard. Therefore, the construction of the Mahila Mandali builing by Kapra municipality is undertaken in Survey No.110 of Mallapur Village. The writ petitioners therefore cannot make out any grievance in this regard inasmuch as the house site pattas that were granted to the eligible beneficiaries is in Survey No.109 of the Mallapur Village and they have nothing to do with the land situate in Survey No.110. The land belonging to the State in Survey No.110 can be put to appropriate public use by the State and therefore, the writ petitioners cannot make out any grievance with regard to the construction of Mahila Mandali building undertaken in Survey No.110 of Mallapur Village. I therefore, find no merit in this writ petition and it is accordingly dismissed. No order as to costs.

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NOOTY RAMAMOHANA RAO,J

16-11-2006
Stp